

United States Bankruptcy Court
District of Nevada

In re:
CASH CLOUD, INC.
Debtor

Case No. 23-10423-mkn
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0978-2

User: admin

Page 1 of 4

Date Rcvd: Sep 19, 2023

Form ID: pdf910

Total Noticed: 16

The following symbols are used throughout this certificate:

Symbol **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 21, 2023:

Recip ID	Recipient Name and Address
aty	+ ANDREW J. MATOTT, SEWARD & KISSEL, ONE BATTERY PARK PLAZA, NEW YORK, NY 10004-1485
aty	+ ANDREW KISSNER, MORRISON & FOERSTER LLP, 250 WEST 55TH STREET, NEW YORK, NY 10019-0050
aty	+ CATHERINE V. LOTEMPPIO, SEWARD & KISSEL, ONE BATTERY PARK PLAZA, NEW YORK, NY 10004-1485
aty	+ CHRISTOPHER D. JOHNSON, DIAMOND MCCARTHY LLP, 909 FANNIN STREET, SUITE 3700, HOUSTON, TX 77010-1049
aty	+ GARY LEE, MORRISON & FOERSTER LLP, 250 WEST 55TH STREET, NEW YORK, NY 10019-0050
aty	+ JANE VANLARE, CLEARY GOTTLIEB STEEN & HAMILTON LLP, ONE LIBERTY PLAZA, NEW YORK, NY 10006-1404
aty	+ JORDI GUSO, BERGER SINGERMAN LLP, 1450 BRICKELL AVENUE, STE. 1900, MIAMI, FL 33131-5319
aty	+ Jeffrey Sylvester, Sylvester & Polednak, Ltd., 1731 Village Center Circle, Las Vegas, NV 89134-0516
aty	+ KYLE M. WYANT, SHEA LARSEN, 1731 VILLAGE CTR CR, STE 150, LAS VEGAS, NV 89134-0517
aty	+ LAURA MILLER, SEWARD & KISSEL, ONE BATTERY PARK PLAZA, NEW YORK, NY 10004-1485
aty	+ MICHAEL WEINBERG, CLEARY GOTTLIEB STEEN & HAMILTON LLP, ONE LIBERTY PLAZA, NEW YORK, NY 10006-1404
aty	+ PAUL R HAGE, TAFT STETTINIUS AND HOLLISTER LLP, 27777 FRANKLIN ROAD, SUITE 2500, SOUTHFIELD, MI 48034-8222
aty	+ RICHARD KRUGER, TAFT STETTINIUS & HOLLISTER LLP, 27777 FRANKLIN ROAD, SUITE 2500, SOUTHFIELD, MI 48034-8222
aty	+ ROBERT J. GAYDA, SEWARD & KISSEL, ONE BATTERY PARK PLAZA, NEW YORK, NY 10004-1485
aty	+ SEAN A. O'NEAL, STEEN & HAMILTON LLP, ONE LIBERTY PLAZA, NEW YORK, NY 10006-1404

TOTAL: 15

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	+ Email/Text: jared.a.day@usdoj.gov	Sep 19 2023 23:51:00	JARED A. DAY, OFFICE OF THE US TRUSTEE, 300 BOOTH ST #3009, RENO, NV 89509-1360

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 21, 2023

Signature: /s/Gustava Winters

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User: admin

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CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 19, 2023 at the address(es) listed below:

Name	Email Address
ADAM P. SCHWARTZ	on behalf of Interested Party LUX VENDING LLC d/b/a BITCOIN DEPOT aschwartz@carltonfields.com, amaranto@carltonfields.com
ADAM P. SCHWARTZ	on behalf of Defendant LUX VENDING LLC d/b/a BITCOIN DEPOT aschwartz@carltonfields.com, amaranto@carltonfields.com
ANNE FREELAND	on behalf of Creditor AVT Nevada L.P. atfreeland@michaelbest.com, knpowell@michaelbest.com;courtmail@michaelbest.com
ARIEL E. STERN	on behalf of Creditor IPFS CORPORATION ariel.stern@akerman.com akermanlas@akerman.com
BART K. LARSEN	on behalf of Creditor Enigma Securities Limited BLARSEN@SHEA.LAW 3542839420@filings.docketbird.com
BRETT A. AXELROD	on behalf of Plaintiff CASH CLOUD INC. baxelrod@foxrothschild.com, pchlum@foxrothschild.com;mwilson@foxrothschild.com;arcdoeketing@foxrothschild.com
BRETT A. AXELROD	on behalf of Debtor CASH CLOUD INC. baxelrod@foxrothschild.com, pchlum@foxrothschild.com;mwilson@foxrothschild.com;arcdoeketing@foxrothschild.com
BRETT A. AXELROD	on behalf of Plaintiff CASH CLOUD INC., DBA COIN CLOUD baxelrod@foxrothschild.com, pchlum@foxrothschild.com;mwilson@foxrothschild.com;arcdoeketing@foxrothschild.com
BRETT A. AXELROD	on behalf of Plaintiff CASH CLOUD INC., dba COIN CLOUD baxelrod@foxrothschild.com, pchlum@foxrothschild.com;mwilson@foxrothschild.com;arcdoeketing@foxrothschild.com
BRIAN D. SHAPIRO	on behalf of Creditor OPTCONNECT MANAGEMENT LLC brian@brianshirolaw.com, kshapiro@brianshirolaw.com;6855036420@filings.docketbird.com
BRIGID M. HIGGINS	on behalf of Creditor Black Hole Investments fna EZ Coin LLC bhiggins@blackwadhamslaw, dmeeter@blackwadhamslaw;mstallsworth@blackwadhamslaw;mdavis@blackwadhamslaw
CANDACE C CARLYON	on behalf of Interested Party CHRIS MCALARY ccarlyon@carlyoncica.com CRobertson@carlyoncica.com;nrodriguez@carlyoncica.com;9232006420@filings.docketbird.com;Dcica@carlyoncica.com
CHAPTER 11 - LV	USTPRegion17.lv.ecf@usdoj.gov
CRAIG P. DRUEHL	on behalf of Creditor OPTCONNECT MANAGEMENT LLC craig.druehl@dechert.com
DAWN M. CICA	on behalf of Interested Party CHRIS MCALARY dcica@carlyoncica.com nrodriguez@carlyoncica.com;crobertson@carlyoncica.com;dmccica@gmail.com;dcica@carlyoncica.com;tosteen@carlyoncica.co m;3342887420@filings.docketbird.com
JAMES M JIMMERSON	on behalf of Plaintiff CASH CLOUD INC., DBA COIN CLOUD jmj@jimmersonlawfirm.com
JAMES PATRICK SHEA	on behalf of Creditor Enigma Securities Limited jshea@shea.law blarsen@shea.law;support@shea.law
JEANETTE E. MCPHERSON	on behalf of Plaintiff CASH CLOUD INC., dba COIN CLOUD JMCPHerson@FoxRothschild.com, ahosey@foxrothschild.com,ARCDOcketing@foxrothschild.com
JEANETTE E. MCPHERSON	on behalf of Debtor CASH CLOUD INC. JMCPHerson@FoxRothschild.com, ahosey@foxrothschild.com,ARCDOcketing@foxrothschild.com

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MARJORIE A. GUYMON

on behalf of Creditor Armando Redmond bankruptcy@goldguylaw.com mariaa@goldguylaw.com;lauriea@goldguylaw.com;amarisp@goldguylaw.com;katherinev@goldguylaw.com

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on behalf of Creditor ORACLE AMERICA INC. mwachtell@buchalter.com

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STACY H RUBIN

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U.S. TRUSTEE - LV - 11

USTPRegion17.lv.ecf@usdoj.gov

ZACHARY WILLIAMS

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ARCDocketing@foxrothschild.com;ahosey@foxrothschild.com

TOTAL: 48

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Honorable Mike K. Nakagawa
United States Bankruptcy Judge



Entered on Docket
September 19, 2023

6 UNITED STATES BANKRUPTCY COURT

7 DISTRICT OF NEVADA

8 * * * * *

9 In re:

10 CASH CLOUD, INC.,
dba COIN CLOUD,

11 Debtor.

Case No.: 23-10423-mkn
Chapter 11

12 PRETRIAL (Zoom Telephonic)
Date: October 4, 2023
Time: 9:30 a.m.

13 TRIAL (In-Person)
Date: October 16 and 17, 2023
Time: 9:30 a.m.

15
16 **(SECOND AMENDED) ORDER REGARDING PRETRIAL AND TRIAL MATTERS**

17 On August 29, 2023, hearings were held on the Motion for Entry of an Order Authorizing
18 Debtor to Surcharge the Collateral of Genesis Global Holdco, LLC, Enigma Securities Limited,
19 and AVT Nevada, L.P. ("Surcharge Motion") (ECF No. 926), brought by the above-captioned
20 debtor ("Debtor"), the Official Committee of Unsecured Creditor's Motion for Derivative
21 Standing (ECF No. 925) (the "Standing Motion"), as well as Enigma Securities Limited's
22 Application for Allowance and Payment of Administrative Expense Claim Pursuant to 11 U.S.C.
23 §§ 361, 362, 363, 364, 503, 507, and Bankruptcy Rules 3012 and 8002 (" Admin Expense
24 Application") (ECF No. 873), brought by Enigma Securities Limited ("Enigma") in the above-
25 captioned proceeding. Appearances were made by Brett A. Axelrod, Esq. on behalf of Debtor;
26 Robert J. Gayda, Esq. and Ryan J. Works, Esq. on behalf of the Official Committee of
27 Unsecured Creditors; Dawn M. Cica, Esq. on behalf of interested party Chris McAlary; and
28 James Patrick Shea, Esq. as well as Andrew Kissner, Esq. on behalf of Enigma.

1 On September 14, 2023, the court entered a Scheduling Order regarding pretrial and trial
2 matters in the above-referenced proceeding (ECF No. 1220), which was amended (ECF No.
3 1249).

4 Good cause appearing,

5 **IT IS HEREBY ORDERED** that a **PRE-TRIAL CONFERENCE** will be held telephonically
6 on **October 4, 2023, at 9:30 a.m.**, before Judge Mike K. Nakagawa. Absent further order of the
7 court, the parties must participate and appear telephonically in the pre-trial conference by dialing
8 (669) 254-5252; Meeting ID: 161-062-2560; Passcode: 029066. Instructions are at:
9 www.nvb.uscourts.gov/news-rss/announcements/2020/0319-court-hearing-participation/.

10 **IT IS FURTHER ORDERED** that unless otherwise ordered, use of Alternate Direct
11 Testimony under Local Rule 9017 will be followed in this case. The Local Rules can be
12 reviewed on this court's website at www.nvb.uscourts.gov/rules-forms/rules/local-rules/9017/.
13 Plaintiff's Alternate Direct Testimony declarations and exhibits must be submitted to opposing
14 counsel no later than **September 26, 2023**. Defendant's Alternate Direct Testimony declarations
15 and exhibits must be submitted to opposing counsel no later than **October 5, 2023**. No later than
16 **October 10, 2023**, both parties shall comply with Local Rule 9017(d)(3) for the submission of
17 documents to the courtroom deputy. Any additional legal memoranda submitted by the parties
18 must be served and filed no later than **October 10, 2023**. All other applicable provisions of
19 Local Rule 9017(c), (d), and (e) shall apply.

20 **TRIAL STATEMENTS:** Each party shall file a trial statement (or counsel may meet
21 and file a joint trial statement). Trial statements shall contain the information as shown on, and
22 in the form of, Part "A" attached hereto. Trial statements shall be filed on or before **October 10,**
23 **2023.**

24 Any objections made pursuant to Fed. R. Bank P. 7026(a)(3) shall be made no later
25 than seven days after the opposing party files its Trial Statement.

26 **PRETRIAL MOTIONS:** Motions in Limine must be filed seven days prior to the
27 pretrial conference scheduled in this case. Responses are due the day before the pretrial
28 conference.

1 **EXHIBITS/WITNESS LISTS:** Each party shall contact and make arrangements
2 with Cathy Shim, Courtroom Deputy, no later than October 10, 2023 for the purpose of
3 coordinating trial exhibits. To that end, before such meeting, each party shall have lodged the
4 following:

5 (1) Five (5) business days prior to the trial or evidentiary hearing on a contested matter
6 each party must lodge with the courtroom deputy clerk for the assigned judge (i): two (2) copies
7 of all declarations or affidavits and exhibits that the party intends to present at the trial or
8 hearing, which must be sequentially numbered with a bates or other numbering system, bound,
9 tabbed and accompanied by a properly completed “Exhibit Log,” that conforms to the local form
10 found on the court’s website; and (ii) one (1) copy of that party’s written objections to the
11 admission of any of the declarations or exhibits of an opposing party Log forms may be
12 obtained from the court’s website.

13 All exhibits to which there is no objection shall be admitted by stipulation. Counsel
14 may stipulate to an exhibit on one ground (e.g., foundation) while preserving an objection on
15 another ground (e.g., relevance).

16 (1) List of witnesses with correct spelling of the witnesses’ full name.

17 The **TRIAL** in this matter is scheduled for **October 16 and 17, 2023, at 9:30 a.m.,**
18 IN-PERSON, in the Foley Federal Building, 300 Las Vegas Blvd. South, Las Vegas, Nevada, in
19 Courtroom #2, before Judge Mike K. Nakagawa.

20 **IT IS SO ORDERED.**

21
22 Copies sent via CM/ECF ELECTRONIC FILING

23 Copies sent via BNC to:

24 Jordi Guso, Esq.

25 Berger Singerman LLP
1450 Brickell Avenue, Suite 1900
Miami, FL 33131

26 Jeffrey R. Sylvester, Esq.
27 Sylvester & Polednak, Ltd.
1731 Village Center Circle
28 Las Vegas, NV 89134

1 Sean A. O'Neal, Esq.
2 Jane VanLare, Esq.
Cleary Gottlieb Steen & Hamilton LLP
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5 Gary S. Lee, Esq.
Andrew Kissner, Esq.
6 Morrison & Foerster LLP
250 West 55th Street
7 New York, NY 10019
8 James P. Shea, Esq.
Shea Larsen
9 1731 Village Center Circle, Suite 150
Las Vegas, NV 89134
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11 Kyle M. Wyant, Esq.
SHEA LARSEN
12 1731 Village Ctr. Cr., Ste. 150
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14 Robert J. Gayda, Esq.
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17 Ryan J Works, Esq.
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20 Andrew Kissner, Esq.
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4 Catherine V. Lotempio, Esq.
5 SEWARD & KISSEL
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6 Andrew J. Matott, Esq.
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8 New York, NY 10004

9 Laura Miller, Esq.
10 SEWARD & KISSEL
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12 Jane Vanlare, Esq.
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15 Michael Weinberg, Esq.
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One Liberty Plaza
17 New York, NY 10006

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PART "A"

(Trial Statements)

The trial statement(s) shall contain the following items:

1. The disclosures required by Fed. R. Civ. P. 26(a)(3), as adopted by Fed. R. Bank. P. 7026
1 LR 7026.
 2. A concise statement of the nature of the action and contentions of the parties.
 3. A statement as to the core or non-core jurisdiction of the Court, with legal citations.
 4. Stipulated facts.
 5. Contested issues of law with concise memorandum of authority.
 6. Log of exhibits which may be offered in evidence, including any exhibits for impeachment or to refresh the memory of a witness (log attached).
 7. Any special trial issue which requires the Court's attention.
 8. The list of witnesses, with their addresses, expected to be called.

****Shaded Area for Court Personnel Use ONLY**

2 Hearing Date: NMC HLB ABL MKN GWZ GS

7/25/23

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